IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16000 of 2005

Between:

N.Abraham S/o.Yesur Ratnam
Girijan Cooperative Corporation Ltd
S.Kota, Vijayanagaram District.

..... PETITIONER

AND

1 Vice Chairman and Managing director Girijan Cooperative Corporation Ltd, Visakhapatnam
2 The Divisional Manager Girijan Cooperative Corporation Ltd. Paderu, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the proceedings R.C.No.1287/2005 Admin II dt.16.6.2005 issued by the 1st Respondent as illegal, arbitrary and contrary to the guidelines issued by the Government from time to time and set aside the same in so far as the petitioner is concerned and consequently direct the respondents to continue as Senior Stores Assistant at GCC Godowns, S.Kota Vizianagaram.

Counsel for the Petitioner:MR.Y.S.VENKATA RAO

Counsel for the Respondent No.: MR.N.SRIDHAR REDDY

The Court made the following :

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HON'BLE SRI JUSTICE S. ANANDA REDDY

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WRIT PETITION No.16000 of 2005

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ORDER:

This Writ petition is filed by the petitioner aggrieved by the action of the first respondent in transferring the petitioner from S.Kota to Paderu and posting one Ch. Madhu in his place, vide proceedings, dated 16.06.2005.

According to the petitioner, the transfer of Sri Ch.Madhu, another Senior Assistant, who was posted in his place, was cancelled. In addition, it is the case of the petitioner that he had worked only two years in the station and he has to go only eleven (11) months for completion of his service for retirement. Therefore, it is not proper and just at this stage to transfer the petitioner to a place, which is away by 140 k.ms. where the petitioner is residing. It is also claimed that the aged parents of the petitioner are also staying with the petitioner, who require constant medical treatment.

Heard the learned counsel for the petitioner and learned standing counsel for the respondents-Corporation.

As the petitioner is expressing some difficulty apart from the fact that he has completed only just two years at the present place and he has to retire within eleven months, it is appropriate to direct the petitioner to make a representation to the first respondent within one week from the date of receipt of a copy of this order and on such representation, the first respondent is directed to consider the case of the

petitioner sympathetically and see that the petitioner is retained at the same station, if not in the same post. Till appropriate orders are passed by the first respondent, status quo obtaining as on today shall be maintained.

With the above observations, the writ petition is disposed of. No costs.

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S.ANANDA REDDY,J

21st July, 2005

Note: Issue wire at party's costs.

(b/o)

tsr

To

1. The Vice Chairman and Managing Director,

Girijan Cooperative Corporation Ltd., Visakhapatnam.

2. The Divisional Manager, Girijan Cooperative Corporation Ltd.,

Paderu, Visakhapatnam District.

3. Two C.D. copies.